United Nations A/HRC/WG.6/27/GBR/2

General Assembly

Distr.: General
22 February 2017

Original: English

Human Rights Council
Working Group on the Universal Periodic Review
Twenty-seventh session
1-12 May 2017

Compilation on the United Kingdom of Great Britain and Northern Ireland

Report of the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a compilation of the information contained in the reports of treaty bodies and special procedures and other relevant United Nations documents, presented in a summarized manner owing to word-limit constraints.

II. Scope of international obligations and cooperation with international human rights mechanisms and bodies[1, 2]

2. In 2016, the Committee on the Elimination of Racial Discrimination encouraged the United Kingdom of Great Britain and Northern Ireland to consider ratifying those international human rights instruments it had not yet ratified, including the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, the Optional Protocol to the Convention on the Rights of the Child on a communications procedure and the International Labour Organization Indigenous and Tribal Peoples Convention, 1989 (No. 169) and Domestic Workers Convention 2011 (No. 189).[3]

3. In 2016, the Committee on Economic, Social and Cultural Rights encouraged the United Kingdom to ratify the Optional Protocol to the International Covenant on Economic Social and Cultural Rights and to consider ratifying the International Convention for the Protection of all Persons from Enforced Disappearance and the Optional Protocol to the International Covenant on Civil and Political Rights.[4]

4. In 2016, the Committee on the Rights of the Child recommended that the United Kingdom consider ratifying the Council of Europe Conventions on Preventing and Combating Violence against Women and Domestic Violence[5] and on the Protection of Children against Sexual Exploitation and Sexual Abuse.[6]

5. In 2015, the Human Rights Committee reiterated its recommendation that the United Kingdom review its remaining reservations to articles 10, 14 and 24 of the International Covenant on Civil and Political Rights, with a view to withdrawing them.[7]

6. In 2013, the Committee against Torture recommended that the United Kingdom make the declarations envisaged under article 22 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.[8]

7. The United Kingdom has contributed annually to the Office of the United Nations High Commissioner for Human Rights (OHCHR) since 2012, including to the United Nations Voluntary Fund for Victims of Torture in 2012 and to the United Nations Voluntary Trust Fund on Contemporary Forms of Slavery in 2012, 2014 and 2016.[9]

III. National human rights framework[10]

8. The Committee on the Elimination of Racial Discrimination was concerned that the proposal to replace the Human Rights Act of 1998 with a new British bill of rights could lead to decreased levels of human rights protection. It recommended that the United Kingdom undertake meaningful and broad public consultations on its proposal to revise its human rights legislation.[11] The Committee against Torture invited the State party to ensure that public statements or legislative changes, such as the establishment of a bill of rights, do not erode the level of constitutional protection afforded to the prohibition of torture, cruel, inhuman or degrading treatment or punishment currently provided by the Human Rights Act.[12]

9. The High Commissioner for Human Rights stated that he was troubled about the proposal to scrap the Human Rights Act and its impact in the United Kingdom and other countries.[13] He called upon the United Kingdom to set an example by ensuring that human rights protection frameworks that were already established were not subsequently weakened.[14]

10. The Committee on Economic, Social and Cultural Rights recommended that the United Kingdom ensure that any new law provides effective protection of human rights across all jurisdictions of the State.[15] It also regretted that a bill of rights for Northern Ireland had not yet been adopted and urged the United Kingdom to expedite its adoption.[16]

11. The Committee on the Elimination of Racial Discrimination noted that the United Kingdom maintained its position that there was no obligation to incorporate the Convention on the Elimination of All Forms of Racial Discrimination into domestic law. It recommended that the United Kingdom ensure that the principles and provisions of the Convention are directly and fully applicable under domestic law in England, Northern Ireland, Scotland and Wales, as well as in the overseas territories and Crown dependencies.[17]

12. The Committee on the Rights of the Child was concerned that the powers of the Children's Commissioners for Northern Ireland and Wales were still limited. It recommended strengthening their independence and allocating the necessary human and financial resources to the Commissioners in all jurisdictions.[18] The Human Rights Committee made similar recommendations regarding the Northern Ireland Human Rights Commission.[19] The Committee against Torture made similar recommendations regarding the bodies of the national preventive mechanism.[20]

IV. Implementation of international human rights obligations, taking into account applicable international humanitarian law

A. Cross-cutting issues

1. Equality and non-discrimination[21]

13. The Special Rapporteur on violence against women, its causes and consequences was concerned that women from black and minority ethnic communities, women belonging to the lesbian, gay, bisexual, transgender, and intersex communities and women with disabilities were often linked to entrenched discriminatory practices in the political, social and economic spheres.[22]

14. The Working Group of Experts on People of African Descent recommended that the Government work with the media to emphasize the richness of diversity and that the media avoid statements and remarks that tend to foster fear of minorities and foreigners and lead to incidents of racism and xenophobia.[23] The High Commissioner for Human Rights urged the United Kingdom authorities, media and regulatory bodies to take steps to curb incitement to hatred by British tabloid newspapers, in line with the country's obligations under national and international law.[24]

15. The Committee on the Elimination of Discrimination against Women recommended that the State party revise its legislation in Northern Ireland to ensure that it afforded protection to women on an equal footing with other women in the State party's administrations.[25]

16. The Committee on the Rights of the Child recommended that the State provide protection against discrimination on the grounds of their age for all children under 18 years of age.[26]

17. The Independent Expert on the enjoyment of all human rights by older persons deplored the wave of ageist attacks on older people in the wake of the referendum to leave the European Union.[27]

2. Development, the environment, and business and human rights

18. The Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes called on the United Kingdom to ensure that leaving the European Union does not lower the level of protection of human rights, including protection against the impacts of toxic pollution.[28]

3. Human rights and counter-terrorism[29]

19. The Human Rights Committee was concerned that the United Kingdom had maintained the broadly formulated definition of terrorism in the Terrorism Act 2000, which could include a politically motivated action designed to influence a government or international organization.[30] It was concerned that the new Counter-Terrorism and Security Act 2015 introduced wide-ranging powers designed to promote public safety, allegedly without sufficient safeguards.[31]

20. The Special Rapporteur on the rights to freedom of peaceful assembly and of association expressed concern at the planned counter-extremism bill, which could authorize the issuance of civil orders to ban "non-violent extremist groups". He warned that, if defined in vague terms, this could open the door to arbitrary interpretation and tread into the territory of policing thought and opinion.[32] He emphasized that singling out certain

organizations on the stereotypical assumption, based on general characteristics such as religion and the predominant race of the membership of the organization, that they were likely to participate in terrorist activities was not only disproportionate, but constituted discrimination and was prohibited under international law.[55]

21. The Committee on the Elimination of Racial Discrimination expressed concern that the new counter-terrorism measures, including the counter-extremism strategy, had created an atmosphere of suspicion towards members of Muslim communities and urged it to evaluate the impact of existing counter-terrorism measures to ensure that there are effective monitoring mechanisms and sufficient safeguards against abuse.[56]

22. The Special Rapporteur on the rights to freedom of peaceful assembly and of association expressed concern about the "Prevent" strategy, which focuses on individuals and groups that appear contrary to the British values of democracy, pluralism and tolerance, and who were seen as being predisposed to respond to terrorist ideologies. The Special Rapporteur was concerned that "Prevent" was having the opposite of its intended effect by dividing, stigmatizing and alienating segments of the population.[57]

23. The Committee on the Rights of the Child recommended strengthening oversight mechanisms, including regular independent reviews, to assess and ensure that the implementation of the counter-terrorism and counter-extremism measures would not have a discriminatory or stigmatizing impact on any group of children.[58]

B. Civil and political rights

1. Right to life, liberty and security of person[59]

24. The Committee against Torture was concerned by remaining ambiguities in the legislation, which appeared to provide an "escape clause" to the absolute prohibition of torture. The United Kingdom should ensure that the Criminal Justice Act 1988 reflected the absolute prohibition of torture.[58] It recommended that the State adopt a clear policy and ensure in practice that the transfer of detainees to another country is clearly prohibited when there are substantial grounds for believing the detainee would be in danger of being subjected to torture.[59]

25. The Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment stressed that the United Kingdom was obliged to bring to justice and punish all those who encouraged, ordered, tolerated or perpetrated acts of torture.[60]

26. The Special Rapporteur on violence against women noted that the number of women who were incarcerated was growing.[61] She called upon the United Kingdom to assess the specific needs of women, particularly young women, in prisons and to develop gender-specific sentencing alternatives.[62]

2. Administration of justice, including impunity, and the rule of law[63]

27. The Human Rights Committee recommended that the State party ensure that any restrictions or limitations on fair trial guarantees that are based on national security grounds are fully compliant with its obligations under the Covenant, and particularly that the use of closed material procedures in cases involving serious human rights violations does not create obstacles to establishing State responsibility and accountability, or compromise the right of victims to a fair trial and an effective remedy.[64]

28. While noting the establishment of some inquiries into allegations involving the British army in Iraq, including the Iraq Historic Allegations Team, the Committee against Torture remained concerned that the composition and structural independence of the team was further challenged, as it still had close institutional links with the Ministry of Defence.

and that there had been no criminal prosecutions for torture or complicity in torture involving State officials.[47]

29. The Committee on the Rights of the Child recommended, inter alia, that the United Kingdom raise the minimum age of criminal responsibility in accordance with acceptable international standards; ensure that children in contact with the law are always dealt with within the juvenile justice system up to the age of 18; and abolish the mandatory imposition of life imprisonment for offences committed by children under the age of 18.[48]

30. The Human Rights Committee recommended that the United Kingdom ensure, as a matter of particular urgency, that independent, impartial, prompt and effective investigations are conducted on conflict-related serious human rights violations in Northern Ireland.[49]

31. The Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence noted that, while clear about its future vision, the Belfast Agreement (Good Friday Agreement) was largely silent on the issue of how to address the legacy of violations and abuses committed during the Troubles in Northern Ireland.[50] He stated that it was critical to direct attention to instruments that might capture the more "structural" dimension of violations and abuses, so that victims and society received answers on whether the violations were part of a pattern reflecting a policy under the responsibility of institutions with identifiable chains of command.[51]

32. The Special Rapporteur considered that there seemed to be a lack of clarity about the preconditions of reparation, which could not be reduced to mere compensation or provision of a service, but called for an acknowledgement of responsibility.[52]

33. The Special Rapporteur also noted that adjudicating issues concerning disclosure was central to the credibility of truth and justice initiatives and encouraged the Government to work with academic and non-governmental experts to devise an approach that made disclosure practices human rights and constitutionally compliant.[53]

3. Fundamental freedoms and the right to participate in public and political life[54]

34. The Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, the Special Rapporteur on the rights to freedom of peaceful assembly and of association and the Special Rapporteur on the situation of human rights defenders expressed serious concerns about several provisions of the draft investigatory powers bill that could, if adopted in its present form, threaten the rights to freedoms of expression and of association both inside and outside the country. They considered that these provisions included excessively broad definitions and disproportionate procedures to authorize surveillance, including mass surveillance, and data retention without adequate independent oversight and transparency. The bill should be reviewed to ensure its compliance with international human rights law and standards.[55]

35. The Special Rapporteur on freedom of expression stated that the protection of national security secrets must never be used as an excuse to intimidate the press into silence and backing off from its crucial work in the clarification of human rights violations.[56] He emphasized that under no circumstances should journalists, members of the media, or civil society organizations who had access to classified information on an alleged violation of human rights be subjected to intimidation and subsequent punishment.[57]

36. The Working Group on Arbitrary Detention considered that the various forms of deprivation of liberty to which Julian Assange had been subjected constituted a form of arbitrary detention and stated that this should be brought to an end.[58] After considering a request submitted by the United Kingdom for a review of the opinion, the Working Group decided the request was not admissible.[59]

37. On England and Wales, the Special Rapporteur on freedom of peaceful assembly and of association was circumspect about the threshold for imposing certain conditions on public processions and assemblies, as it did not reflect the strict test of necessity and proportionality.[58] He recommended, inter alia, that a positive law on the right to freedom of peaceful assembly be adopted to facilitate and protect such a right and ensure that law enforcement authorities which violate that right are held personally and fully accountable.[59]

38. On Northern Ireland, the Special Rapporteur called on the authorities, inter alia, to ensure that blatant and provocative violations of the determinations of the Northern Ireland Parades Commission are prosecuted and provide political resolution to the issues that still make the enjoyment of freedom of peaceful assembly problematic in Northern Ireland.[60]

39. On Scotland, the Special Rapporteur called on the authorities, inter alia, to amend the Police, Public Order and Criminal Justice (Scotland) Act 2006, with a view to reducing the notification period and ensuring that the exercise of the right to freedom of peaceful assembly is not subject to cost-recovery measures.[61]

40. While commending the extension until 2030 of the provision allowing political parties to adopt women-only shortlists of parliamentary candidates, the Committee on the Elimination of Discrimination against Women was concerned at the failure of the State to introduce further temporary special measures to address the underrepresentation of women in decision-making positions in the public and private sectors.[62]

4. Prohibition of all forms of slavery[63]

41. The Office of the United Nations High Commissioner for Refugees (UNHCR) welcomed the measures introduced into the Modern Slavery Act 2015, which enhanced protection, following the relevant recommendations made during the second cycle of the universal periodic review.[64] It recommended, inter alia, that the Government ensure that any planned reforms allow victims of trafficking accessing the asylum procedure to undergo a fair process to establish any well-founded fear of persecution, and that it implement a statutory right of appeal in the national referral mechanism (the procedure to formally identify victims of human trafficking and modern slavery).[65]

42. The Committee on the Elimination of Discrimination against Women was concerned at the lack of a comprehensive national framework on trafficking. It urged the United Kingdom to adopt a comprehensive national framework to combat trafficking in women and girls and to identify any weaknesses in the national referral mechanism and ensure that victims of trafficking are properly identified and adequately supported and protected.[66]

5. Right to privacy and family life[67]

43. The Human Rights Committee was concerned that the current legal regime in the United Kingdom allowed for mass interception of communications and lacked sufficient safeguards against arbitrary interference with the right to privacy. It recommended that the Data Retention and Investigatory Powers Act 2014 be revised, with a view to ensuring that access to communications data is limited to the extent strictly necessary for prosecution of the most serious crimes and is dependent upon prior judicial authorization.[68]

44. The Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism stated that current assessments of the threat posed by terrorism in the United Kingdom had changed significantly in profile over the past years and that there should be a debate on the extent to which the public was prepared to tolerate official access to metadata.[69] He urged the British authorities to review their operations to ensure that they comply fully with the obligations of the State under the Convention for the Protection of Human Rights and Fundamental Freedoms regarding the right to liberty and security and the right to respect for private and family life.[70]

45. The Committee on the Rights of the Child recommended that the United Kingdom raise the minimum age of marriage to 18 years across all devolved administrations, overseas territories and Crown dependencies.[71]

46. The Committee on the Elimination of Discrimination against Women urged the United Kingdom to criminalize forced marriage.[72]

C. Economic, social and cultural rights

1. Right to work and to just and favourable conditions of work[73]

47. The Committee on Economic, Social and Cultural Rights recommended that the United Kingdom review its employment policies to address the root causes of unemployment, progressively reduce the use of temporary employment and include in its action plan time-bound goals with a specific focus on groups disproportionately affected by unemployment.[74] While noting the duty of public authorities to report gender inequalities and the implementation of the "Think, Act, Report" initiative, it expressed concern about the significant gender pay gap, particularly in Scotland.[75]

48. The Committee also noted with concern the recent adoption of the Trade Union Act 2016, which introduced procedural requirements that limited the right of workers to undertake industrial action. It recommended that the United Kingdom ensure that all workers enjoy their trade union rights without undue restrictions or interference and the effective implementation of the norms prohibiting the blacklisting of trade union members.[76]

2. Right to an adequate standard of living[77]

49. The Committee on Economic, Social and Cultural Rights was concerned that, despite the increase of the national minimum wage that had come into effect on 1 April 2016, it was not sufficient to ensure a decent standard of living in the United Kingdom and recommended that it was periodically reviewed to ensure that it met that standard.[78]

50. The Committee stated that the level of child poverty remained high and was projected to increase in the future, especially in Northern Ireland. It recommended that the United Kingdom introduce measures to guarantee targeted support to all those living in poverty or at risk of poverty.[79]

51. The Committee was also concerned about the persistent critical situation in terms of the availability, affordability and accessibility of adequate housing in the United Kingdom, in part as a result of cuts in State benefits.[80]

52. The Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context recommended, inter alia, that the United Kingdom assess and evaluate the impact of welfare reforms in relation to the right to adequate housing of the most vulnerable individuals and groups; assess whether the overall costs of the implementation of some reforms might outweigh the savings intended, thereby violating the obligation of the State to use the maximum of available resources; and consider alternative avenues to achieve similar objectives without affecting the poorest or most vulnerable.[81]

53. The Special Rapporteur recommended that the United Kingdom put in place targeted measures to increase the supply of housing in the private market for those individuals and households who faced unaffordable alternatives and refrain from establishing mechanisms that could result in indirect discrimination against migrants or Roma in gaining access to adequate housing.[82]

54. The Working Group of Experts on People of African Descent reported that people of African descent experienced disproportionate rates of poverty and stated that policy responses and specific anti-poverty measures should recognize the complex causes of poverty, which included racial discrimination.[83]

3. Right to health[84]

55. The Committee on the Elimination of Discrimination against Women urged the United Kingdom, inter alia, to strengthen the implementation of programmes and policies aimed at providing effective access to health care for women, pay special attention to the health needs of women with disabilities and provide equal access to reproductive treatment for all women in Northern Ireland, without discrimination.[85] It was of the opinion that the State party should expedite the amendment of the anti-abortion law in Northern Ireland, with a view to decriminalizing abortion, and ensure that legal abortion covers not only cases of threats to the life of a pregnant woman, but also other circumstances, such as threats to her health and in cases of rape, incest and serious malformation of the fetus.[86]

4. Right to education[87]

56. The Committee on Economic, Social and Cultural Rights was concerned about the persistence of significant inequalities in educational attainment, especially for children belonging to ethnic, religious or other minorities and children from low-income families, which had the effect of limiting social mobility.[88] It was also concerned that university fees were increasing, which affected equal access to higher education.[89]

57. The Committee on the Rights of the Child was concerned that in Northern Ireland, segregation of schools by religion persisted. It recommended that the United Kingdom actively promote a fully integrated education system and carefully monitor the provision of shared education, with the participation of children, in order to ensure that it facilitates social integration.[90]

58. Regarding the recommendations of the second cycle of the universal periodic review on discrimination in education,[91] UNESCO commended the measures towards more inclusive education but asserted that the State still had efforts to make regarding the financing of education.[92] It recommended, inter alia, that the State pursue its reforms towards effective tertiary education, continue measures towards inclusive education and prioritize free quality education.[93]

D. Rights of specific persons or groups

1. Women[94]

59. The Special Rapporteur on violence against women stated that women from black and minority ethnic communities were often subjected to entrenched discriminatory practices in the political, social and economic spheres.[95] She also stated that legal and policy responses regarding violence against black and minority ethnic women and girls were limited to some harmful practices, ignoring the harm emanating from other sexist practices that were prevalent in the United Kingdom.[96]

60. The Special Rapporteur stated that domestic violence was the most pervasive form of violence against women in the United Kingdom and that forced and early marriage affected a wide range of communities in the country.[97] She agreed that the Government had developed a number of strategies and action plans to address those issues, both at the national level and in the constituent parts, but asserted that those initiatives had resulted in isolated pockets of good practice and often depended on personal commitment, due largely

to the lack of a consistent and coherent human rights-based approach in the response of the Government.[98]

61. The Special Rapporteur on violence against women noted with appreciation that since March 2013, the non-statutory definition of domestic abuse had included victims aged 16 and 17.[99] She considered that while there was no general, stand-alone law on violence against women applicable to the United Kingdom as a whole, there were some legal instruments that aimed to address the issue.[100]

62. The Human Rights Committee recommended that the United Kingdom introduce domestic violence protection orders in Northern Ireland and ensure that all cases of domestic violence in all territories and dependencies are thoroughly investigated and perpetrators prosecuted.[101]

63. The Special Rapporteur on violence against women stated that the justice system as a whole was not equipped for or responsive to addressing the specific needs of women and girl survivors of violence, mentioning cuts to legal aid, inadequate police responses, lack of coordination among the various State agencies and low levels of prosecution.[102]

64. The Special Rapporteur noted the need for special measures that recognized that women were disproportionately affected by violence, inequality and discrimination.[103] She was concerned that the current austerity measures were having a disproportionate impact on poverty and unemployment, which were contributory factors to violence against women and girls.[104] She recommended that the Government ensure a holistic approach to the prevention of violence against women and girls.[105]

65. The Committee on the Elimination of Discrimination against Women reiterated that the State should ensure the full implementation of its legislation on female genital mutilation, including effectively prosecuting perpetrators of that offence.[106]

2. Children[107]

66. The Committee on the Rights of the Child urged the United Kingdom to prohibit all corporal punishment in the family and to ensure that it is explicitly prohibited in all schools and educational institutions, and all other institutions and forms of alternative care.[108]

67. The Committee welcomed the measures taken to address child sexual exploitation and abuse, but was concerned about, inter alia, the increasing risk of online child sexual exploitation and abuse and the low rate of prosecution of those acts.[109] It recommended that the United Kingdom develop and implement comprehensive multisectoral strategies on child exploitation and abuse.[110]

3. Persons with disabilities[111]

68. The Committee on the Rights of the Child was concerned that many children with disabilities did not see that their views were given due weight in making personal decisions about their lives. It recommended that the United Kingdom ensure that inclusive education is given priority over the placement of children in specialized institutions and classes and that the rights of children with disabilities are fully respected.[112]

4. Minorities and indigenous peoples[113]

69. The Committee on the Elimination of Racial Discrimination recommended that the United Kingdom develop a comprehensive strategy, in consultation with members of the gypsy, traveller and Roma communities, to ensure a systematic and coherent approach in addressing the challenges that they continued to face, including discrimination in the fields of health, education, housing and employment, and being subject to negative stereotypes and stigmatization in the media.[114]

70. The Working Group of Experts on People of African Descent was concerned about racial disproportionality in all aspects of the administration and functioning of the justice system and recommended that the United Kingdom, inter alia, prevent racial profiling and prevent, investigate and punish all violations of human rights affecting people of African descent committed by State officials.[115] It also stated that affirmative action measures to promote effective equality were required and called on the United Kingdom to do more to empower people of African descent to be represented in political structures such as Parliament.[116]

5. Migrants, refugees, asylum seekers and internally displaced persons[117]

71. UNHCR continued to express its concerns regarding the detention of asylum seekers, which should be considered only as a measure of last resort, and recommended, inter alia, that the Government ensure that detention is not used for administrative convenience, that measures are taken to avoid detaining asylum seekers during the processing of their asylum claims and that existing alternatives to detention are more accessible.[118] It welcomed the introduction of a 72-hour limit on the detention of pregnant women, but remained concerned that there was still no fixed statutory time limit on detention.[119]

72. The Committee on the Rights of the Child was concerned that the Immigration Act 2016 had removed the entitlement of unaccompanied children in care with an irregular or unresolved immigration status to support on leaving care and that the United Kingdom had adopted the "deport first, appeal later" scheme, which allowed migrants to appeal against the refusal of their stay only from outside the country, including in cases where such deportation might undermine family unity for migrant children. It recommended that the United Kingdom review the Immigration Act 2016 in order to ensure its compatibility with the Convention on the Rights of the Child.[120]

73. The Committee was also concerned that children could be detained in the course of asylum processes and age-disputed children seeking asylum could be detained in adult facilities. It recommended that the United Kingdom conduct age assessments only in cases of serious doubt through multidisciplinary and transparent procedures.[121]

74. UNHCR expressed concern about the lack of provision within the immigration rules for children recognized as refugees in the country to sponsor family members to join them in the United Kingdom and recommended, inter alia, that the Government amend the asylum policy instruction on family reunion to make express provision for family reunion for any unaccompanied asylum-seeking children resettled to the United Kingdom, or recognized as refugees in the country.[122] UNHCR recommended, inter alia, that the Government ensure that the family reunion procedure is sufficiently simplified and that legal aid is made available to those recognized as being in need of international protection in applying for family reunion.[123]

75. The Special Rapporteur on violence against women expressed concern at the situation of migrant domestic workers and emphasized that those whose visas were tied to their employers faced detention as immigration offenders if they did not go back home, unless they were victims of trafficking.[124] She stated that the new visa procedure for overseas domestic workers had raised further concerns, including the fact that it affected the possibility for domestic workers to change employers or renew their visas, even in abusive employment situations.[125]

6. Stateless persons[126]

76. UNHCR recommended that the Government ensure that detention policies specifically identify a detainee's statelessness as a relevant consideration in the assessment

of the lawfulness of a decision to detain, in order to avoid subjecting stateless persons to prolonged and/or repeat unlawful detention.[127]

77. UNHCR also expressed concern that the stateless determination procedure contained a number of restrictions preventing applicants from accessing the procedure and enjoying protection, and highlighted the lack of civil legal aid provision to support applications regarding statelessness.[128] It recommended that the Government, inter alia, ensure that the burden of proof is shared, in that both the applicant and the examiner must cooperate to obtain evidence and to establish the facts; that the ambit of legal aid is widened to include applicants under the stateless determination procedure; that accommodation and/or financial support is provided for those applying under the procedure; and that an appeal mechanism against decisions made under the procedure is available.[129]

E. Specific regions or territories[130]

78. The Committee on the Rights of the Child was concerned that, despite some improvements, there was still legal discrimination against certain children in overseas territories. It recommended that the Government of the United Kingdom further encourage the Governments of the overseas territories to fully abolish discrimination under the law against children who were "non-belongers", including migrant children and children born out of wedlock, and to revise legislation in order to guarantee the right of migrant children to a birth certificate.[131]

79. The Committee on the Elimination of Racial Discrimination urged the United Kingdom to hold full and meaningful consultations with the Chagossians (Ilois) to facilitate their return to their islands and to provide them with an effective remedy, including compensation.[132]

80. UNHCR recommended, inter alia, that the Government extend territorial application of the Convention relating to the Status of Refugees and its 1967 Protocol to Anguilla, Bermuda, the British Virgin Islands and any other British Overseas Territories to which those instruments do not currently apply.[133]

Notes

1 Tables containing information on the scope of international obligations and cooperation with international human rights mechanisms and bodies for the United Kingdom will be available at www.ohchr.org/EN/HRBodies/UPR/Pages/GBSession27.aspx.
2 For relevant recommendations, see A/HRC/21/9, paras. 110.1, 110.4-110.5, 110.14-110.28, 110.30-110.31 and 110.47.
3 See CERD/C/GBR/CO/21-23, para. 46. See also CRC/C/GBR/CO/5, para. 89, and CAT/C/GBR/CO/5, para. 36.
4 See E/C.12/GBR/CO/6, paras. 69-70. See also CRC/C/GBR/CO/5, para. 89, CCPR/C/GBR/CO/7, para. 6, and CAT/C/GBR/CO/5, para. 36.
5 See CRC/C/GBR/CO/5, para. 43. See also CEDAW/C/GBR/CO/7, para. 34.
6 See CRC/C/GBR/CO/5, para. 45.
7 See CCPR/C/GBR/CO/7, paras. 6-7. See also CEDAW/C/GBR/CO/7, para. 15.
8 See CAT/C/GBR/CO/5, para. 36.
9 OHCHR, "Donor profiles", in *OHCHR Report 2012*, p. 171, *OHCHR Report 2013*, p. 187, *OHCHR Report 2014*, p. 120, and *OHCHR Report 2015*, p. 117. See also A/67/264, A/69/290 and www.ohchr.org/EN/Issues/Slavery/UNVTFCFS/Pages/GeneralInfo.aspx.
10 For relevant recommendations, see A/HRC/21/9, paras. 110.32, 110.36-110.38 and 110.46.
11 See CERD/C/GBR/CO/21-23, paras. 9-10.
12 See CAT/C/GBR/CO/5, para. 8.
13 See www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=16593&LangID=E.

[14] See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=16074&LangID=E.
[15] See E/C.12/GBR/CO/6, paras. 9-10. See also CERD/C/GBR/CO/21-23, paras. 9-10.
[16] Ibid. and CRC/C/GBR/CO/5, para. 7.
[17] See CERD/C/GBR/CO/21-23, paras. 7-8.
[18] See CRC/C/GBR/CO/5, paras. 15-16. See also UNICEF submission for the universal periodic review of the United Kingdom, p. 3.
[19] See CCPR/C/GBR/CO/7, para. 7.
[20] See CAT/C/GBR/CO/5, para. 14.
[21] For relevant recommendations, see A/HRC/21/9, paras. 110.53, 110.59-110.60, 110.66, 110.90-110.91 and 110.102.
[22] See www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=14514&LangID=E.
[23] See A/HRC/24/52/Add.1, para. 108.
[24] See www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=15885&LangID=E.
[25] See CEDAW/C/GBR/CO/7, para. 19.
[26] See CRC/C/GBR/CO/5, paras. 21-22.
[27] See www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=20241&LangID=E.
[28] See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21132&LangID=E.
[29] For relevant recommendations, see A/HRC/21/9, paras. 110.58, 110.118-110.121 and 110.124.
[30] See CCPR/C/GBR/CO/7, para. 14.
[31] Ibid.
[32] See www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=19857&LangID=E.
[33] See A/HRC/23/39/Add.1, para. 85. See also www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=19854&LangID=E.
[34] See CERD/C/GBR/CO/21-23, paras. 18-19.
[35] See www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=19857&LangID=E.
[36] See CRC/C/GBR/CO/5, para. 22.
[37] For relevant recommendations, see A/HRC/21/9, paras. 110.67-110.68, 110.77, 110.83-110.84, 110.86-110.87 and 110.94-110.96.
[38] See CAT/C/GBR/CO/5, para. 10.
[39] Ibid., para. 19.
[40] See newsarchive.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=14138&LangID=E.
[41] See www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=14514&LangID=E.
[42] See www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=14514&LangID=E.
[43] For the relevant recommendation, see A/HRC/21/9, para. 110.82.
[44] See CCPR/C/GBR/CO/7, para. 22.
[45] See CAT/C/GBR/CO/5, para. 16.
[46] See CRC/C/GBR/CO/5, paras. 42-43 and 78-79. See also CCPR/C/GBR/CO/7, para. 23.
[47] See CCPR/C/GBR/CO/7, para. 8. See also CAT/C/GBR/CO/5, para. 24.
[48] See A/HRC/34/62/Add.1, para. 109.
[49] Ibid., para. 111. See also www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=16780&LangID=E.
[50] See A/HRC/34/62/Add.1, para. 109.
[51] Ibid., para. 128.
[52] For the relevant recommendation, see A/HRC/21/9, para. 110.48.
[53] See www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=16938&LangID=E. See also www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=19854&LangID=E.
[54] See newsarchive.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=13678&LangID=E.
[55] See newsarchive.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=13678&LangID=E.
[56] See www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=17013&LangID=E. See also www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=17042&LangID=E.
[57] See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=20961&LangID=E.
[58] See A/HRC/23/39/Add.1, para. 12.
[59] Ibid., para. 93. See also www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=19854&LangID=E.
[60] See A/HRC/23/39/Add.1, para. 96.
[61] Ibid., para. 98.

[62] See CEDAW/C/GBR/CO/7, paras. 30-31. See also E/C.12/GBR/CO/6, paras. 26-27, and CCPR/C/GBR/CO/7, para. 12.
[63] For relevant recommendations, see A/HRC/21/9, paras. 110.72-110.76 and 110.109.
[64] UNHCR submission for the universal periodic review of the United Kingdom, p. 3. For the full text of the recommendations, see A/HRC/21/9, paras. 110.72 (Spain) and 110.73 (Colombia).
[65] UNHCR submission, p. 10.
[66] See CEDAW/C/GBR/CO/7, paras. 38-39.
[67] For the relevant recommendation, see A/HRC/21/9, para. 110.98.
[68] See CCPR/C/GBR/CO/7, para. 24.
[69] See newsarchive.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=13678&LangID=E.
[70] See newsarchive.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=13678&LangID=E.
[71] See CRC/C/GBR/CO/5, para. 20.
[72] See CEDAW/C/GBR/CO/7, para. 34.
[73] For relevant recommendations, see A/HRC/21/9, paras. 110.62-110.65.
[74] See E/C.12/GBR/CO/6, paras. 29-32. See also A/HRC/24/52/Add.1, para. 19.
[75] See E/C.12/GBR/CO/6, paras. 26-27. See also CEDAW/C/GBR/CO/7, paras. 46-47.
[76] See E/C.12/GBR/CO/6, paras. 38-39.
[77] For relevant recommendations, see A/HRC/21/9, paras. 110.41-110.42, 110.44, 110.101 and 110.103-110.104.
[78] See E/C.12/GBR/CO/6, paras. 36-37.
[79] Ibid., paras. 47-48. See also A/HRC/24/52/Add.1, para 95.
[80] See E/C.12/GBR/CO/6, paras. 49-50.
[81] See A/HRC/25/54/Add.2, para. 80. See also newsarchive.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=13706&LangID=E and E/C.12/GBR/CO/6, paras. 49-50.
[82] See A/HRC/25/54/Add.2, para. 80. See also newsarchive.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=13706&LangID=E.
[83] See A/HRC/24/52/Add.1, paras. 28 and 94-95.
[84] For the relevant recommendation, see A/HRC/21/9, para. 110.103.
[85] See CEDAW/C/GBR/CO/7, paras. 52-53.
[86] Ibid., paras. 50-51.
[87] For the relevant recommendations, see A/HRC/21/9, paras. 110.66, 110.102 and 110.106.
[88] See E/C.12/GBR/CO/6, paras. 63-64.
[89] Ibid., paras. 65-66.
[90] See CRC/C/GBR/CO/5, paras. 72-73. See also www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=16780&LangID=E.
[91] See A/HRC/21/9, paras. 110.66 (Morocco), 110.102 (Spain), 110.103 (Cuba) and 110.106 (Costa Rica).
[92] UNESCO submission for the universal periodic review of the United Kingdom, p. 16.
[93] Ibid.
[94] For relevant recommendations, see A/HRC/21/9, paras. 110.29, 110.69-110.70, 110.77, 110.88 and 110.99.
[95] See A/HRC/29/27/Add.2, para. 93. See also CCPR/C/GBR/CO/7, para. 13.
[96] See A/HRC/29/27/Add.2, para. 68.
[97] Ibid., para. 9. See also www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=14514&LangID=E and CRC/C/GBR/CO/5, paras. 42-43.
[98] See A/HRC/29/27/Add.2, paras. 104-105.
[99] See www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=14519&LangID=E.
[100] See A/HRC/29/27/Add.2, paras. 60, 74 and 80.
[101] CCPR/C/GBR/CO/7, para. 13. See also A/HRC/29/27/Add.2, para. 107, and CEDAW/C/GBR/CO/7, paras. 34-35.
[102] See www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=14514&LangID=E. See also A/HRC/29/27/Add.2, paras. 49, 51, 95 and 102-103.
[103] See www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=14514&LangID=E. See also A/HRC/29/27/Add.2, para. 106.

[104] See www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=14514&LangID=E. See also A/HRC/29/27/Add.2, paras. 54 and 106, and www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=14519&LangID=E.
[105] See A/HRC/29/27/Add.2, para. 107.
[106] See CEDAW/C/GBR/CO/7, paras. 36-37.
[107] For relevant recommendations, see A/HRC/21/9, paras. 110.4, 110.8, 110.41, 110.78-110.80, 110.94-110.95, 110.101 and 110.106.
[108] See CRC/C/GBR/CO/5, para. 41 (a) and (b). See also www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=14514&LangID=EO/5, CCPR/C/GBR/CO/7, para. 20, and CAT/C/GBR/CO/5, para. 29.
[109] See CRC/C/GBR/CO/5, paras. 42-45.
[110] Ibid., paras. 44-45.
[111] For the relevant recommendation, see A/HRC/21/9, para. 110.30.
[112] See CRC/C/GBR/CO/5, paras. 56-57.
[113] For relevant recommendations, see A/HRC/21/9, paras. 110.56 and 110.59-110.61.
[114] See CERD/C/GBR/CO/21-23, paras. 24-25.
[115] See A/HRC/24/52/Add.1, paras. 98 and 100-104. See also CERD/C/GBR/CO/21-23, paras. 22- 23, and newsarchive.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=12645&LangID=E#sthash.UmjVx9vU.dpuf.
[116] See A/HRC/24/52/Add.1, paras. 85, 90-92 and 97.
[117] For relevant recommendations, see A/HRC/21/9, paras. 110.108 and 110.10-110.115.
[118] UNHCR submission, pp. 3 and 5.
[119] Ibid., p. 4.
[120] See CRC/C/GBR/CO/5, paras. 76-77.
[121] Ibid.
[122] UNHCR submission, pp. 6-8.
[123] Ibid., p. 8.
[124] See A/HRC/29/27/Add.2, paras. 42 and 94.
[125] Ibid., para. 44.
[126] For relevant recommendations, see A/HRC/21/9, paras. 110.82 and 110.111-110.115.
[127] UNHCR submission, p. 6.
[128] Ibid., p. 10.
[129] Ibid., p. 11.
[130] For the relevant recommendation, see A/HRC/21/9, para. 110.45.
[131] See CRC/C/GBR/CO/5, paras. 24-25 and 34.
[132] See CERD/C/GBR/CO/21-23, paras. 40-41.
[133] UNHCR submission, p. 6.